

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

MIDWEST MORTGAGE INVESTMENT,  
INC., an Illinois corporation,

Plaintiff,

v.

Case No. 07-10576

MOUNT VERNON FIRE INSURANCE  
COMPANY, a Pennsylvania corporation,  
and THE CITY OF HAMTRAMCK, a  
Michigan municipality,

Honorable Patrick J. Duggan

Defendants.

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**ORDER DENYING DEFENDANT MOUNT VERNON FIRE INSURANCE  
COMPANY'S MOTION FOR SUMMARY JUDGMENT**

At a session of said Court, held in the U.S.  
District Courthouse, Eastern District  
of Michigan, on September 28, 2007.

PRESENT: THE HONORABLE PATRICK J. DUGGAN  
U.S. DISTRICT COURT JUDGE

On February 7, 2007, Midwest Mortgage Investment, Incorporated ("Plaintiff") filed this lawsuit against Mount Vernon Fire Insurance Company and the City of Hamtramck. In Count I of its complaint, Plaintiff, the insured under an insurance policy issued by Defendant, seeks a declaration of the rights and obligations of the parties under the insurance policy. In Count II, Plaintiff asserts a breach of contract claim against Mount Vernon Fire Insurance Company (hereinafter "Defendant"). Presently before this

Court is Defendant's Motion for Summary Judgment.<sup>1</sup> The Court held a hearing on Defendant's motion on September 27, 2007.

For the reasons stated at the hearing,

**IT IS ORDERED** that Defendant's Motion for Summary Judgment is **DENIED**.

s/PATRICK J. DUGGAN  
UNITED STATES DISTRICT JUDGE

Copies to:

William J. Yochim, Esq.

Stanley A. Prokop, Esq.

Harry Kalogerakos, Esq.

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<sup>1</sup>Defendant The City of Hamtramck has not joined Defendant's Motion for Summary Judgment.